

REMARKS/ARGUMENTS

Entry of this response and reconsideration and allowance of the above-identified patent application are respectfully requested. Claims 10-14, 16-21, 23-36 and 38-64 were rejected in the office action. Claims 10, 29, 36, 39, 47, 50, 52 and 54 have been amended. Claims 16, 38 and 49 have been canceled. Therefore, following entry of the present response, claims 10-14, 17-21, 23-36, 39-48 and 50-64 will be pending in the present application.

The Examiner is respectfully asked to initial and consider the patentability of the present invention in light of the newly-cited references submitted herewith in the Supplemental Information Disclosure Statement (SIDS).

Claims 10-12, 14, 16-19, 21, 23, 24, 26-36, 38, 39, 44, 45, 47, 49, 50, 52-60 and 62-64 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Pat No. 5,856,776 to Armstrong (“Armstrong”). Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Armstrong in view of U.S. Pat. No. 5,592,354 to Nocentino (“Nocentino”). Claims 20, 25, 40-43, 46, 51 and 61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Armstrong in view of U.S. Pat. No. 5,630,204 to Hylton *et al.* (“Hylton”). Claim 48 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Armstrong in view of U.S. Pat. No. 5,748,104 to Argyroudis *et al.* (“Argyroudis”).

Briefly, in one of the claimed embodiments, the invention contemplates a method of communicating data signals over a medium voltage power line. This embodiment includes a transformer bypass device that communicates data from a low voltage power line to a medium voltage power line (for upstream communications). At a different location, the data is received via the medium

voltage power line by an aggregation device that communicates the data to a point of presence. Numerous transformer bypass devices may be in communication with one aggregation device. Data may also flow in the downstream direction.

The claims stand rejected under 35 U.S.C. § 102(b) as being anticipated by Armstrong. Independent claim 10 is allowable over Armstrong in that it includes the feature of "a first isolation device forming at least part of a data path between said second modem and the medium voltage power line." Independent claims 36, 52 and 54 are allowable over Armstrong in that they include the feature of "isolating the first low voltage power line from the medium voltage power line." Independent claim 47 is allowable over Armstrong in that it includes the feature of "an isolation device disposed between said second modem and the medium voltage power line." This feature prevents the higher power line voltage on the medium voltage power line from flowing onto the low voltage power line. Armstrong does not teach or suggest at least these features of claims 10, 36, 47, 52 and 54.

In the office action, this feature was not identified in Armstrong or any of the other cited art, nor is it found in any of these references. Therefore applicant respectfully submits that claims 10, 36, 47, 52 and 54 and claims 11-14, 17-21, 23-35, 39-46, 48, 50-51, 53 and 55-64 which depend therefrom are allowable over Armstrong. The various rejections under 35 U.S.C. § 103(a) are overcome for the same reasons as discussed above as the additionally cited art fails to cure the deficiencies of Armstrong.

CONCLUSION

In view of the foregoing, applicant respectfully submits that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Vincent J. Roccia at (215) 564-8946, to discuss resolution of any remaining issues.



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Date: February 11, 2005

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